

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTSCASE NO. CR05-10214United States  
PLAINTIFFFlorentino Ruidiaz  
DEFENDANTJames Arnold  
\_\_\_\_\_  
\_\_\_\_\_Robert Sinsheimer  
\_\_\_\_\_  
\_\_\_\_\_COUNSEL FOR PLAINTIFFCOUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Sentencing Hearing
5/21/07	Defense counsel asks the court for permission to address the issue of his representation of the defendant. Court
	first goes over the status of the case in general. Defense counsel informs the court that the defendant wishes to
	vacate his plea and have new counsel appointed to represent him. Court closes the proceedings so that it can take
	up this newly raised issue. Only the defendant, defense counsel and probation remain in the courtroom. Court
	denies the defendant's request to appoint new counsel. Defendant withdraws his request to withdraw his guilty
	plea and informs the court that he is prepared to go forward with the sentencing. Court resumes in open court
	and proceeds with the defendant's sentencing. Court adopts all of the factual statements of the pre-sentence report.
	Court calculates the guidelines as TOL 30, CH V, 180-188 months custody, SR, \$15K-\$150K fine and a
	\$100 special assessment fee. Government recommends a sentence to the mandatory minimum of 15 years.
	Defense counsel would advocate for a lower sentence if it could but realizes the court is bound by the statute.
	Defendant addresses the court. Formal sentencing - 180 months custody, 36 months supervised release on the
	standard conditions, court does not impose a fine but does impose the mandatory \$100 special assessment fee.
	Defendant advised of his limited right to appeal and to counsel. Government asks the court to order the defendant
	to cooperate in the collection of DNA. Court does so.